

**WAIVER OF DEFENDANT'S PERSONAL PRESENCE
AT THE RECALL AND RE-SENTENCING HEARING**
Penal Code Section 1170(e)

For the Superior Court of California

County of _____
(Print or Type County of Commitment)

"The undersigned defendant, having been advised of his or her right to be present at all stages of the court proceedings, including, but not limited to, presentation of and arguments on questions of fact and law, and to be confronted and crossed-examined by all witnesses, hereby waives the right to be present at the hearing of any motion or other court proceedings in this cause. The undersigned defendant hereby requests the court to proceed during every absence of the defendant that the court may permit pursuant to this waiver, and hereby agrees that his or her interest is represented at all times by the presence of his or her attorney the same as if the defendant were personally present in court, and further agrees that notice to his or her attorney that his or her presence in court on a particular day at that particular time is required is notice to the defendant of the requirement of his or her appearance at that time and place."

Executed on _____ by _____
Date Staff Name/Title (Print)

Staff Signature

Inmate Name (Print)

Inmate Signature

CDC #

Date

☐ Inmate unable to sign waiver due to his or her medical condition.